

## CHAPTER 43-03-02 ELIGIBILITY

### Section

43-03-02-01

Eligible Applicants

43-03-02-02

Eligible and Ineligible Projects

**43-03-02-01. Eligible applicants.** Any person, corporation, partnership, cooperative, or association, or consortium of such parties, may apply for funds under this program. With regard to site-specific feasibility studies, only owners of facilities, sponsors of projects, or operators having effective control of a facility or project may apply. Applicants who do not own or control or have the clear and firm commitment of ownership or control are ineligible for feasibility study assistance. Any interested person in doubt as to eligibility should contact the commission.

**History:** Effective February 1, 1988; amended effective March 1, 1992.

**General Authority:** NDCC 57-61-01.5

**Law Implemented:** NDCC 54-17.5-04, 57-61-01.5

**43-03-02-02. Eligible and ineligible projects.** Any project proposing research, development, or marketing of lignite or products derived from lignite, or a land reclamation research project is eligible for a contract under this program. The following are examples of eligible topics:

1. Eligible lignite research projects include, but are not limited to:
  - a. Conversions of lignite to other products and byproducts.
  - b. Lignite cleaning or beneficiation.
  - c. Lignite desulfurization and emission control.
  - d. Lignite-water mixtures or lignite-methanol mixtures and other lignite-derived fuels.
  - e. Lignite-based cogeneration projects.
  - f. Development of markets for liquids or other byproducts derived from lignite.
  - g. Research and development of products using ash derived from lignite.
  - h. Studies of legal, regulatory, and economic factors affecting lignite use and development.
  - i. Development of materials for use in lignite market promotion.

- j. Development of commercial programs to treat effluent, emissions, solid waste, or hazardous waste from lignite conversion plants, chemical spills and oil spills, using bioremediation technology.
  - k. Resource characterization and evaluation studies.
  - l. Development, demonstration, and refinement of gasification and liquefaction technologies using lignite.
  - m. Development of advanced combustion systems, that is, systems with high efficiency and low emissions.
  - n. In general, any project which will utilize or enhance the development or use of lignite resources.
2. Eligible land reclamation research projects include, but are not limited to:
- a. Prime farmland soil productivity research.
  - b. Development of productivity indices for reclaimed land.
  - c. Soil resspreading, depth of soil replacement, and compaction studies.
  - d. Research relating to root zone hydrology, runoff, and erosion on reclaimed land.
  - e. Other projects that may reduce unnecessary regulatory costs and assist in effectively reclaiming mined land to its original or better productivity.
3. The following activities or uses are ineligible for funding under this program:
- a. Business startup capital.
  - b. Business working capital.
  - c. Business advertising or promotional expenses pertaining to a specific company or cooperative.

**History:** Effective February 1, 1988; amended effective October 1, 1990; March 1, 1992.

**General Authority:** NDCC 57-61-01.5

**Law Implemented:** NDCC 54-17.5-01, 57-61-01.5